

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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RL 900 PARK, LLC,

Plaintiff,

18 **CIVIL** 12121 (MKV)

-against-

**JUDGMENT**

SIMONE ENDER, et al.

Defendants.

-and-

CENTRAL PARK PARTNERS NY LLC

Intervenor-Defendant.

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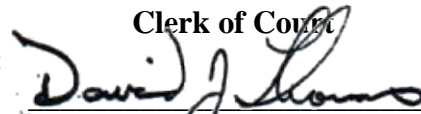
It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated February 25, 2021, Plaintiff RL 900 Park, LLC's Motion for Summary Judgment is DENIED. Intervenor-Defendant Central Park Partners NY LLC's Cross-Motion for Summary Judgment is GRANTED. The Court holds that Plaintiff's failure adequately to allege subject matter jurisdiction must result in dismissal of the case. Even if Plaintiff could cure the subject matter jurisdiction issues, however, its failure to file and index a notice of pendency before CPP took title to the Property means that the current title holder, CPP, cannot be bound by this foreclosure action and all claims against CPP must be dismissed. Judgment for Intervenor-Defendant Central Park Partners NY LLC and against Plaintiff RL 900 Park LLC, is entered; accordingly, the case is closed.

**Dated:** New York, New York  
February 25, 2021

**RUBY J. KRAJICK**

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Clerk of Court

BY:

  
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Deputy Clerk